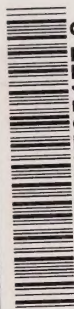


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Rapid Reference Charts



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SUBJECT: RAPID REFERENCE CHARTS

This is an update of the Rapid Reference Charts dealing with employment standards as of October 1, 1985. The charts regarding minimum age for employment, annual vacations with pay, paid general holidays, general hours of work and overtime rates, maternity protection and parental leave, minimum wages, and individual and group termination of employment have been revised and modified. A new chart on Equal Pay has been included.



Federal-Provincial Relations Branch
Labour Canada.


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STATUTORY SCHOOL-LEAVING AGES
AND WORK EXEMPTIONS

Jurisdiction and Legislation	School-leaving Age	Work Exemptions
Alberta The School Act	16	Work experience program approved by the minister of education, the Director under the Employment Standards Act and the parents of the children.
British Columbia The Schools Act	15 — unless course completed at nearest public school and transport to higher school not provided.	
Manitoba The Public Schools Act	16	Over 15, with certificate signed by parent or guardian, attendance officer and superintendent of schools.
New Brunswick Schools Act	15 — unless grade 12 passed.	For not more than 6 weeks in each school term if minister agrees with reasons for parents' application.
Newfoundland The School Attendance Act	15 — must attend to end of school year.	For period stated in certificate if services needed for maintenance of self or others. Child under 12 for not more than 2 months in a school year except with approval of Minister.

Jurisdiction and Legislation	School-leaving Age	Work Exemptions
Nova Scotia The Education Act	16	<p>If 12, for not more than 6 weeks in a school year if services needed for home duties or other necessary employment.</p> <p>If 13, with employment certificate if services needed for maintenance of self or others; medical certificate may be required.</p>
Ontario Education Act	16 — unless secondary school or equivalent completed. Must attend to end of school year.	
Prince Edward Island School Act	16	If grade 12 completed or minister certified exemption from school attendance.
Québec Education Act	15 — must attend to end of school year.	For not more than 6 weeks in a school year if services needed in farming, home duties or maintenance of self or relatives.
Saskatchewan Education Act (1978)	16 — unless eighth grade or equivalent completed and exempted by superintendent	Work experience program approved by the Board of Education.



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Jurisdiction and Legislation	School-leaving Age	Work Exemptions
Northwest Territories School Act	15 -- must attend to the end of the school year if after December 31, or unless grade eight or equivalent passed. Also where distance from or lack of school accommodation prevents attendance.	
Yukon Territory School Act	16 -- unless for unavoidable cause, has reached a standard equal to or higher than school's standard, or being instructed in a manner and to a standard satisfactory to the superintendent.	

MINIMUM AGE FOR EMPLOYMENT

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Federal	Canada Labour Code	under 17	Only if not required to be at school under provincial legislation and the work involved falls outside excluded categories and is unlikely to endanger health or safety. Never between 11 p.m. and 6 a.m.	Canada Shipping Act	under 15	Cannot be employed at sea.
Alberta	The Employment Standards Act and Regulation	12 to 15	May be employed as a delivery person or a clerk in a retail store, a clerk or a messenger in an office, a delivery person of newspapers, flyers or handbills. Not during school hours, and never between 9 p.m. and 6 a.m. For no more than 8 hours in a day, 2 on a school day. With written consent of parent or guardian.	Child Welfare Act	12 and up	Entertainment: licence for employment from Child Welfare Commission necessary. Commission will assure itself of the absence of possible moral or physical injury and of the child's welfare.
				The Coal Mines Safety Act	under 17	Cannot work below ground, but may be employed in the mine office or on the surface.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Alberta (cont'd)		15 to 18	May not be employed in the retail business in a hotel, motel or restaurant between the hours of 9 p.m. to the following 12:01 a.m. unless constantly supervised by an adult, and never between the hours of 12:01 a.m. to 6 a.m. In other businesses, the young person can be employed between the hours of 12:01 a.m. and 6 a.m. only with written consent from parent or guardian and under constant supervision of an adult.	The Manpower Development Act	under 1	Cannot be employed in a designated trade. Apprentices must be 16 years of age and over.
British Columbia	The Employment Standards Act and Regulations	under 15	Not without permission of the Director of Employment Standards, and only under conditions of such permit. But the Act does not apply to members of	The Mines Act	under 18	Cannot be employed below ground. But a person who has reached the age of 17 may be employed underground for the purpose of training.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
British Columbia (cont'd)			certain specified professions, nor to students on a work experience or occupational training program, persons employed in a private residence to attend to a child, or a disabled or infirm (etc.), person, nor to persons receiving income under a specified employment incentive program. This provision also does not apply to artists, musicians, actors or performers, to disabled employees of a charity receiving therapy, and to various other occupations.			
Manitoba	The Employment Standards Act	under 16	Cannot be employed in the manufacturing industry. Cannot be employed in the businesses except with	Regulation under the Mines Act	16 to 18	Cannot be employed underground. A person of 16 years of age to 18 may be employed above ground.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Manitoba (cont'd)			permission of the minister and only according to the conditions of the permit. Must never be employed where detrimental to health, safety or moral well-being.	The Apprenticeship and Tradesmen's Qualifications Act	under 16	Cannot work in a designated trade. Apprentices must be at least 16 years of age.
	Public School Act	under 16	Not during the hours in which the child is required to be in attendance at school.			
New Brunswick	Occupational Health and Safety Act, Regulation	under 16	Not without the written authorization of the Occupational Health and Safety Commission.	The Mining Act (Regulation)	under 16 16 to 18	Cannot be employed in a coal mine. Cannot be employed underground in a metal mine. A person of 16 to 18 may be employed above ground.
		under 18	May be prohibited by the Commission in any place of employment (including the construction industry) likely to endanger the health or safety of that person.	The Industrial Training and Certification Act	under 16	Cannot work in designated trades. Apprentices must be at least 16.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
New Brunswick (cont'd)	Minimum Employment Standards Act	Under 18	For no more than 9 hours a day and 48 a week, except with authorization.			
	Schools Act	under 15	Not during hours of required school attendance.			
Newfoundland	The Labour Standards Act	under 16	Not in work that is likely to be unwholesome or harmful to health and prejudicial to school attendance. Some occupations are prohibited by order of the Lieutenant-Governor. Never during school hours and between the hours of 10 p.m. and 7 a.m. For no more than 8 hours in a day, 3 on a school day. Not while a strike or lockout of employees is in progress.	Mines and Quarries Act and Regulations	16 to 18	Cannot obtain a miner's permit. Cannot work underground. May work above ground.
				The Apprenticeship Act	under 16	Cannot work in designated trades. Apprentices must be 16 or older.
		Under 14	Not unless the work is prescribed within prescribed undertakings.			

General Provisions

Special Provisions

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Newfoundland (cont'd)	The Child Welfare Act	12 to 14	May be employed as messengers, vendors of newspapers and small wares, shoe shiners or pin boys. Not after 8 p.m. in winter months or 9 p.m. the rest of the year. Must hold a licence requiring parental consent.			
Nova Scotia	Labour Standards Code	under 16	Cannot be employed in an industrial undertaking, the forest industry, garages and service stations, hotels and restaurants, the operating of elevators, theatres, dance halls, shooting-galleries, bowling-alleys, billiard and pool rooms and other work prohibited by regulation, unless employed in a family business.	Coal Mines Regulation Act	under 18½	Cannot work below ground.
				Metalliferous Mines and Quarries Regulation Act	under 16	Cannot work below ground nor above ground.
		under 14	Cannot do work that is likely to be unwholesome or harmful to health or prejudicial to school attendance.	Construction Safety Act	under 16	Cannot be employed on a construction project.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Nova Scotia (cont'd)			For no more than 8 hours a day, or 3 on a school day unless authorized. May not work on a day when school and work hours exceed 8. Not between 10 p.m. and 6 a.m.	Apprenticeship and Tradesmen's Qualification Act	Under 16	Cannot enter into an apprenticeship agreement.
	Education Act and Regulations	under 16	Not during school hours, unless a work certificate has been issued to the child.			
Ontario	Occupational Health and Safety Act and Regulations	under 14	Cannot be employed in or about any industrial establishment.	The Child Welfare Act	under 16	Cannot engage in any trade or occupation in a place to which the public has access, between the hours of 9 p.m. and 6 a.m. May be employed in public entertainment, but only with the approval of the Children's Aid Society and after ensuring proper provisions for the health and proper treatment of the child.
		under 15	May not be employed in or about a factory. But may be employed elsewhere if the work is unlikely to endanger the child's safety.			

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Ontario (cont'd)		under 16	Not permitted in or about a logging operation. Nor in or about a construction project, unless has attained age of 15 and has been excused from attending school. Not permitted to be in or about a mine or a mining plant.	Apprenticeship and Tradesmen's Qualification Act and Regulation	under 16	Cannot work in designated trades. An apprentice must be at least 16 years of age and have a Grade 10 standing or equivalent, or the qualifications prescribed in the regulations for the trade.
		16 to 18	Not permitted in an underground mine or at the working face of a surface mine.			
	Education Act	under 16	Never during school hours, unless secondary school, or equivalent, completed.			
Prince Edward Island	The Minimum Age of Employment Act	under 15	Unless in a family business, and then only if the work is not dangerous to health or morals, cannot be employed in an industrial	Apprenticeship and Tradesmen's Qualification Act	under 16	Cannot work in designated trades. An apprentice must be at least 16 years of age and have Grade 10 standing or its equivalent.

Province	Legislation	Age Group	Application	Legislation	Age Group	Application
Prince Edward Island (cont'd)			undertaking (i.e., manufacturing, mining, shipbuilding, electricity, construction and transportation). The Act does not apply to work done by children in approved technical schools.	Construction Safety Act	under 15	Cannot work on a construction project.
			On the recommendation of the Minister of Fisheries & Labour, a higher age than 15 may be prescribed for employees under 18 years of age, where the nature of the work may be dangerous to life, health or morals.			
Quebec			(This subject used to be covered by the Industrial and Commercial Establishments Act. This Act was replaced, effective January 1, 1981, by An Act Respecting Occupational Health and Safety, which contains no such provision.)	The Construction Safety Code	under 18	Cannot work on a hoisting apparatus, nor be employed at the controls of hoisting or moving equipment. Not underground nor at the face of an open-pit site.
	Education Act	under 15	Not during school hours, unless a certificate has been issued for the child.	Manpower Vocational Training and Qualification Regulation	under 16	Cannot become an apprentice in the designated trades before 16.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Saskatchewan	Minimum Wage Order No. 2 (1981)	under 16	Cannot be employed in any educational institution, hospital, nursing home, hotel or restaurant.	Apprenticeship and Tradesmen's Qualification Act	under 16	Cannot work in designated trades. An apprentice must be at least 16 years of age.
	Education Act	under 16	Not during school hours.			
	The Family Services Act	under 16	Not at a time or place where such employment is detrimental to the child.	Occupational Health and Safety Act and Regulations	under 16	Cannot be employed at or about any construction site, work of engineering construction, trench or excavation; at any pulp mill, sawmill or wood-working establishment; in the vicinity of industrial processes at any factory; in any silo, storage bin, vat, hopper, tunnel, shaft, sewer or other confined space; on the cutting line of any packing plant or the evisceration line of any poultry plant; in

General Provisions

Special Provisions

Saskatchewan
(cont'd)

Saskatchewan (cont'd)	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Saskatchewan (cont'd)					Under 16 (cont'd)	any forestry or logging operation; on any drilling or servicing rig; as an operator of any heavy mobile equipment, any crane or other heavy hoisting equipment; not as an operator of a hoisting truck or similar mobile equipment within a place of employment or in the vicinity of other workers.
					Under 18	Cannot work underground or at the working face of an open-pit mine, nor as a radiation worker, nor in any activity for which respiratory protective equipment is required by any regulation made under the Act, except where that work is performed under close and competent supervision cannot work in any asbestos process, nor in any place where asbestos is likely to be present, except if in apprenticeship.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Northwest Territories	Labour Standards Act	under 17	May be employed in any occupation except in such occupations and subject to such conditions as may be prescribed by regulation.	Employment of Young Persons Regulations	under 17	Cannot be employed in the construction industry without the written approval of a labour standards officer.
	Employment of Young Persons Regulation	under 17	Not in a place liable to be detrimental to the health, education or moral character of the young person. Never between the hours of 11 p.m. and 6 a.m. without the written approval of a labour standards officer.	Apprentices and Tradesmen's Act	under 16	Cannot become an apprentice in a designated trade before the age of 16.
				Mining Safety Act	under 16	Cannot be employed in or about a mine.
					under 18	Cannot be employed underground or at the open face of any open cut workings, pit or quarry.
					under 19	Cannot operate a hoisting engine at a mine shaft when persons are being carried.

Jurisdiction	General Provisions			Special Provisions		
	Legislation	Age Group	Application	Legislation	Age Group	Application
Yukon Territory	Employment Standards Act	under 17	May be employed in any occupation except in such occupations and not contrary to such conditions as may be prescribed.	Apprentice Training Act	under 16	Cannot work in a designated trade. Apprentices must be at least 16 years old.
				Mining Safety Act	under 18	Not to be employed underground or at the working face of any open-cut workings, pit or quarry.
					under 21	Cannot operate a hoisting engine at a mine when persons are being carried.

Jurisdiction & Legislation	Length of Vacation	Vacation Pay	When Entitled	When Pay Given
Canada Canada Labour Code and Labour Standards Regulations	a) 2 weeks b) 3 weeks after 6 con- secutive years with same employer	4% of annual earnings 6% of annual earnings after 6 years	In respect of every year of employment, and granted within 10 months of completion of year. The Director may approve an application by the employer and/or the employee to waive the right to vacation time or to postpone or transfer a vacation.	Within 14 days before vacation begins, or where this method is impracticable, on a payday during or after vacation according to established practice.
Alberta Employment Standards Act	3 weeks to be taken in one unbroken period of 3 weeks, or in 3 periods of one week each, at the employ- ee's request.	4% of annual earnings if paid by the employer's regular pay divided by 4 1/3 for each week of vacation	Within 12 months after each year's employment.	At least one week before more than 1 term of vacation begins or, if termination of employment occurs, before the termination of employment.
British Columbia Employment Standards Act	a) 2 weeks b) 3 weeks after 5 continuous years with same employer (vacation)	4% of annual earnings 6% of annual earnings after 5 years, (i.e., 2% per week of vacation)	At the conclusion of each working year; the vacation time must be granted within 10 months after the anniversary date of his employment.	At least one week before vacation begins.
<p>The employer cannot require an employee to take his vacation in periods of less than one week's duration.</p>				

New Brunswick Vacation Pay Act	2 weeks; to be taken in one unbroken period of 2 weeks	4% of annual earnings	No later than 4 months after end of vacation pay year (July 1- June 30).	At least one day before vacation begins.
Newfoundland Labour Standards Act	2 weeks; to be taken in one unbroken period of 2 weeks or 2 unbroken periods of one week each, unless employer and employee agree other- wise	4% of annual earnings	Within 10 months after 12-month period. Regulations may establish system for taking vacation during the year in which vacation begins.	At least one day before vacation begins.
Nova Scotia Labour Standards Code	2 weeks; to be taken as agreed but must include one unbroken period of one week	4% of annual earnings	Within 10 months after 12-month period.	At least one day before vacation begins.
Ontario Employment Standards Act	2 weeks; to be taken in one unbroken period of 2 weeks or 2 unbroken periods of one week each, as determined by the employer.	4% of annual earnings	After 12 months of employment. The leave must be granted not later than 10 months after the period for which the vacation was given. Any agreement between the employer and the employee respecting payment of funds in lieu of vacation is subject to the approval of the Director.	On the regular pay day of the employee during the vacation period, or at a time designated by the director of employment standards.

Jurisdiction & Legislation	Length of Vacation	Vacation Pay	When Entitled	When Pay Given
Prince Edward Island Labour Act	2 weeks; to be taken in one unbroken period.	4% of annual earnings	After 12-month period.	At least one day before vacation begins.
Québec Labour Standards Act	<p>2 weeks after 1 year</p> <p>3 weeks after 10 years; if less than 1 year of service: 1 day/month up to a maximum of 2 weeks.</p> <p>The annual leave may be divided into 2 periods where so requested by the employee, unless a provision of a collective agreement or of a decree provides otherwise, or unless the employer closes his establish- ment for the annual leave period. A leave not exceeding one week cannot be divided.</p>	<p>4% of gross wages during the reference year (May 1- April 30) 6% after 10 years</p>	<p>Within 12 months after the end of the reference year, unless the terms of a collective agreement or a decree permit it to be deferred.</p> <p>At the request of the employee, the third week of leave may be replaced by a compensatory indemnity if the establishment closes for two weeks on the occasion of the annual leave.</p>	In a lump sum before departing on vacation.

Jurisdiction & Legislation	Length of Vacation	Vacation Pay	When Entitled	When Pay Given
Saskatchewan Labour Standards Act	3 weeks after 1 year	3/52 of annual earnings; 4/52 of annual earnings	Within 12 months after each year of employment. The employee and employer may enter into an agreement that, because of a shortage of labour, the employee will not take the vacation time to which he is entitled.	During 14 days before vacation begins.
Northwest Territories Labour Standards Act	2 weeks 3 weeks after 5 years	4% of annual earnings; 6% of annual earnings	Within 10 months after the year of employment for which the employee became entitled to a vacation. A Labour Standards Officer may approve an application by the employer and/or the employee to waive the right to vacation time or to postpone an employee's vacation.	At least one day before vacation begins.

Yukon Territory Employment Standards Act	2 weeks	4% of annual earnings	Within 10 months following the comple- tion of the qualifying year of employment.	At least one day before vacation begins.	When Pay Given
<p>The employee and employer may enter into an agreement that the employee will not take the vacation time to which he is entitled.</p>					

PAID GENERAL HOLIDAYS

Jurisdiction & Legislation	Holidays	Pay for Holidays		Exceptions	Pay for Holidays Worked
		Not Worked	Regular pay		
Federal Canada Labour Code and Labour Standards Regulations	New Year's Day		Regular pay	No pay for holiday not worked if:	Regular pay + 1½ times regular rate
	Good Friday				
	Victoria Day		An employee who is	1) holiday occurs during first 30	
	Dominion Day		not entitled to	days of employment; or	Continuous operations:
	Labour Day		wages for at least	2) employee is working under the	regular pay +
	Thanksgiving Day		15 days during the	authority of a permit	
	Remembrance Day		30 days immediately	establishing hours of work in	a) 1½ times regular
	Christmas Day		preceding the	excess of 8 in a day or 40 in	rate, or
	Boxing Day		holiday is entitled	a week under section 29.1(1).	b) another day off
			to 1/20th of the		with pay, or
Alberta Employment Standards Act and Reg. 81/81	New Year's Day		wages he has earned	Continuous operation:	c) pay for next non-
	Good Friday		during those 30		working day
	Victoria Day		days.	1) same as 1) above;	
	Dominion Day			2) employee did not report for	
	Labour Day			work after having been called	
	Thanksgiving Day			to work on that holiday; or	
	Remembrance Day			3) is unavailable to work on that	
				holiday in contravention to	
				his contract of employment.	
	New Year's Day		Regular pay if	No pay for holiday if:	Regular pay +
	Good Friday		holiday falls on		
	Victoria Day		regular working	1) employee has been employed	a) 1½ times regular
	Dominion Day		day for employee;	less than 30 days during	rate for hours
	Labour Day		construction	preceding 12 months;	worked, or
	Thanksgiving Day		industry a lump	2) does not work on the holiday	b) another day off
	Remembrance Day				with pay

Jurisdiction & Legislation	Holidays	Pay for Holidays		Exceptions	Pay for Holidays Worked
		Not Worked	Worked		
Alberta (continued)	Christmas Day and any other day so designated	sum is paid for general holidays	when requested or scheduled to do so; or 3) is absent without the employer's consent on his regular working day immediately preceding or following a holiday.		
British Columbia Employment Standards Act and Regulation	New Year's Day Good Friday Victoria Day Dominion Day Labour Day Thanksgiving Day Remembrance Day Christmas Day British Columbia Day	Regular pay	Paid general holiday provisions do not apply to: 1) employees covered by a collective agreement; 2) a manager; 3) an employee during his first 30 days of employment; 4) an employee who has not earned wages for at least 15 of the last 30 calendar days before the holiday occurs; or 5) an employee employed primarily to harvest fruit or berry crops.	1½ times regular pay for the first 11 hours and 2 times regular pay for each hour worked in excess of 11 + another day off with pay. Continuous operations: regular pay + a) 1½ times regular rate for the first 11 hours worked and 2 times for hours in excess of 11, or b) another day off with pay	

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Manitoba Employment Standards Act and The Remembrance Day Act	New Year's Days Good Friday Victoria Day Canada Day Labour Day Thanksgiving Day Christmas Day Remembrance Day*	Regular pay construction: 4% of gross earnings (excluding overtime) for year	<p>No pay for a holiday not worked if the employee:</p> <ol style="list-style-type: none"> 1) has not earned wages for part or all of 15 days during the 30 calendar days preceding the holiday; did not report for work after having been called to work on the holiday; or 2) unavailable for work without the employer's consent on his regular working days immediately preceding and following the holiday 3) 	<p>1½ times regular rate for all hours worked + and regular pay</p> <p>For Remembrance Day: a) twice regular pay or b) regular pay plus one day leave with pay</p> <p>Continuous operations, seasonal industry, place of amusement, gasoline service station, hospital, hotel or restaurant and domestic service: regular pay + equivalent compensatory time off with pay within 30 days or as agreed.</p> <p>Construction: 4% of gross earnings (excluding overtime) for year + 1½ times regular rate for days worked</p>

*In Manitoba, there is no requirement that employees be paid for the Remembrance Day holiday if they are not required to work.

Jurisdiction & Legislation	Pay for Holidays		Exceptions	Pay for Holidays Worked
	Holidays	Not Worked		
New Brunswick Minimum Employment Standards Act	New Year's Day	Regular pay	Paid general holiday provisions not apply to an employee who:	Regular pay +
	Good Friday		1) has not worked for the employer at least 90 days during the 12 calendar months preceding the holiday;	a) 1½ times regular rate for hours worked, or
	New Brunswick Day		2) has not earned wages for part or all of 15 days during the 30 calendar days preceding the holiday;	b) another day off with pay
	Labour Day		3) fails to work on his regularly scheduled day of work preceding or following the holiday;	
	Christmas Day		4) fails to report and perform the work without reasonable cause after having agreed to work on a holiday; or	
Newfoundland Labour Standards Act	New Year's Day	Regular pay	5) is employed under an agreement whereby he elects to work when requested to do so	a) Twice regular pay, or
	Good Friday			b) one full day holiday (paid) within 30 days, or
	Memorial Day		1) an employee during his first 30 days of employment;	c) add one full day (paid) to annual vacation
	Labour Day		2) an employee who has been absent for 15 or more of the 30 days preceding the holiday, except for a reason permitted	
	Christmas Day and such other days as may be proclaimed			

Jurisdiction Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Newfoundland (continued)			by this Act; or 3) an employee who fails to work on his regularly scheduled day of work preceding or following the holiday. An employee who works less than 20 hours in a week is not entitled to take his next regular working day off if the holiday falls on a day that he would normally not be required to work.	Continuous operations, public utility services, or essential services: a) twice regular pay, or b) one full day off with pay within 30 days
Nova Scotia Labour Standards Code	New Year's Day Good Friday Dominion Day Labour Day Christmas Day and a day specified in a regulation	Regular pay	No pay for holiday worked if an employee: 1) has not earned wages for at least 15 of the 30 calendar days preceding the holiday; or 2) has not worked on his regularly scheduled day of work immediately preceding or following the holiday. Continuous operations: no pay if employee did not report for work after having been called.	Regular rate + 1½ times regular rate Continuous operations: as above or another day off with pay

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Ontario Employment Standards Act	New Year's Day Good Friday Victoria Day Dominion Day Labour Day Thanksgiving Day Christmas Day	Regular wages	<p>No pay for holiday not worked if an employee:</p> <ol style="list-style-type: none"> 1) has been employed for less than 3 months; 2) has not earned wages on at least 12 days during the 4 work weeks preceding the holiday; 3) fails to work his regularly scheduled day of work preceding or following the holiday; 4) fails to report for and perform the work after having agreed to work on the holiday; or 5) is employed under an arrangement whereby he may elect to work or not when requested to do so. 	<p>Regular rate +</p> <ol style="list-style-type: none"> a) $1\frac{1}{2}$ times regular rate for all hours worked, or b) another day off with pay <p>When holiday falls on non-working day or a day of employee's annual vacation; another working day off with pay.</p> <p>Continuous operations, hotel, motel, tourist resort, restaurant, tavern or hospital:</p> <ol style="list-style-type: none"> a) $1\frac{1}{2}$ times regular rate, or b) regular rate for each hour worked and another day off with pay.

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Prince Edward Island	<u>for the</u> <u>Carpentry and</u> <u>Construction</u> <u>Industry:</u> New Year's Day Good Friday Dominion Day Empire Day Labour day Thanksgiving Day Christmas Day and Sundays	P.E.I. has no provision for paid holidays	N/A	minimum set rate of \$8.50 (i.e., 2 x minimum regular rate in 1973.)
Labour Act and Industrial Standards Schedules				
The P.E.I. Labour Act	<u>for the Electrical</u> <u>Trade:</u> New Year's Day Good Friday Victoria Day Dominion Day Labour Day Thanksgiving Day Remembrance Day Christmas Day and Sundays			minimum set rate of \$5.80 (i.e., 2 x minimum regular rate in 1969)
provides that a conference of representatives of employers and employees in a given trade in any area of the province may formulate and submit to the Minister for approval a schedule establishing, among other	<u>for the Plumbing,</u> <u>Pipefitting and</u> <u>Sheet Metal Trades:</u> New Year's Day Good Friday			minimum set rate of \$3.75 (i.e., 1½ x minimum regular rate in 1969)

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Prince Edward Island (continued)	Victoria Day Dominion Day Labour Day Thanksgiving Day Remembrance Day and Christmas Day		N.A.	
conditions, any particular day or days, or portion of any day, on which work may not be performed, and the rates of pay if these days are worked				(The minimum rates have long since been considered obsolete and are now set by various collective agreements or employment contracts).
Québec, National Holiday Act & Labour Standards Act and Regulations	January 1st Good Friday (or Easter monday in certain cases) Dollard Day (or Victoria Day) National Holiday Labour Day Thanksgiving December 25	Regular pay (i.e. the average daily pay for the 2 week preceding the holidays)	The general holiday provisions do not apply to employees covered by a collective agree- ment or a decree containing at least 6 holidays, in addition to the National Holiday. No pay for the National Holiday not worked if an employee has not earned wages for at least 10 days in the period from June 1 to June 23.	A. Regular pay + indemnity equal to his wages for a regular day of work or regular pay. + one day holiday taken within three weeks before or after that day (in the case of the National Holiday,

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Québec (continued)		No pay for holiday not worked if an employee:		be taken on the working day before or after June 24)
		1) has not been credited with 60 days of uninterrupted service preceding the holiday		B. When holiday falls on non-working day: another working day off or indemnity equal to the average of the daily wages for the two weeks preceding that holiday
		2) fails to work without the employer's authorization or without valid cause on the day preceding or the day following the holiday		
Saskatchewan	New Year's Day	Regular pay		Regular pay + 1½ times regular rate
Labour	Good Friday			
Standards	Victoria Day	Construction, lumbering and logging: lump sum		Hotel, restaurant, hospital, nursing, home and educational institution: regular pay +
Act, and	Dominion Day			
Regulations	Labour Day			
	Thanksgiving Day			a) 1½ times regular rate, or
	Remembrance Day			b) time off equivalent to 1½ times regular rate +
	Christmas Day	Well drilling: regular pay		1 day off at regular wage within 4 weeks.
	Saskatchewan Day			Well drilling:
		Hotel, restaurant hospital, nursing home and educational institution: regular pay		

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Saskatchewan (continued)				regular pay + regular rate
				Construction: lump sum (3.5% annual gross excluding over- time) + 1½ times regular rate
				Logging and lumbering: lump sum (3.5% annual gross excluding overtime) + regular rate for hours worked
Northwest Territories	New Year's Day	Regular pay if holiday falls on	No pay for holiday not worked if and employee:	Regular pay +
Labour	Good Friday	regular working		a) 1½ times regular
Standards	Victoria Day	day	1) has not been employed for 30 days or more during the preceding 12 months;	regular rate, or
Act	Dominion Day		2) did not report for work on the holiday after having been called to work;	b) another day off with pay
	First Monday in August		3) has not reported for work, without the consent of his employer, on his last regular working day preceding or the first one following the holiday.	An employee who is not required to work on a general holiday, shall not be required to work on another day that would otherwise be a non-working day in the week in which the holiday occurs unless he is paid double time.
	Labour Day			
	Thanksgiving Day			
	Remembrance Day			
	Christmas Day			

Jurisdiction & Legislation	Holidays	Pay for Holidays Not Worked	Exceptions	Pay for Holidays Worked
Yukon Territory Employment Standards Act	New Year's Day Good Friday Victoria Day Canada Day Discovery Day Labour Day Thanksgiving Day Remembrance Day Christmas Day	Regular pay	No pay for holiday not worked if an employee: 1) has not been employed for at least 30 days; 2) did not report for work on that day after having been called; 3) has not reported for work, without the consent of his employer, on his regular working day immediately preceding or following the holiday; or	Regular pay + 1½ times regular rate Custodial work, continuous operations and essential services: regular rate + a) another day off with pay, or b) 1½ times regular pay An employee who is not required to work on a general holiday, shall not be required to work on another day that would otherwise be a non-working day in the week in which the holiday occurs unless he is paid 1½ times regular rate

GENERAL PRINCIPLES OF WORK AND OVERTIME RATES*

Federal - (Canada Labour Code and Regulation)

Hours of Work:

Standard:	8 in a day
	40 in a week

Maximum: 48 in a week

Exclusions from provisions concerning both hours of work and overtime: managers, superintendents and certain professional employees

Overtime: After 8 in a day and 40 in a week -
1½ times the regular rate

Averaging: Upon notifying the Department of Labour, an employer may select an averaging period of 2 to 13 weeks.

Averaging periods of longer than 13 weeks, and up to one year, can be approved by the Minister of Labour.

An employer who has adopted an averaging plan is required to post clear information about the plan in conspicuous places of the establishment.

Alberta - (Employment Standards Act and Regulations)

[illegible]

Exclusions: managerial, confidential and supervisory employees, farm labour, domestic service, public employees, municipal policemen, certain salesmen, chartered accountants and lawyers.

Overtime: After 8 in a day and 44 in a week -
1½ times regular rate or time off in place
of overtime pay if more than 44 in a week.

Exceptions: Field catering, geophysical exploration, land surveying, logging and lumbering, employees of a municipal district employed in road construction or maintenance or snow removal, oilwell servicing: 10 hours in a day or 191 hours in a month.

*The jurisdictions frequently establish specific standards for specific industries, i.e. logging, mining, garment industry, etc. These standards are set in regulations, board orders, etc.

Alberta - (Employment Standards Act and Regulations) (Continued)

Ambulance drivers, taxi cabs drivers:
10 hours in a day or 60 hours in a week.

Employees of irrigation districts other than
office employees: 9 hours in a day or
54 hours in a week.

Employees employed in the cultivation and
preparation of trees, shrubs and plants:
9 hours in a day or 48 hours in a week.

Commercial truck and bus drivers: 10 hours
in a day or 50 hours in a week.

Highway and railway construction and brush
clearing: 10 hours in a day or 44 hours in a
week.

Overtime Agreements: Overtime agreements between the employer and
his employees may be made, stipulating that
compensatory time off may be given instead of
overtime wages.

British Columbia - (Employment Standards Act)

Hours of Work: Standard: 8 in a day
40 in a week

Exclusions: **

Overtime: After 8 in a day and 40 in a week -
1½ times regular rate;
after 11 in a day and 48 in a week -
2 times regular rate

Variation of Hours Work: The director may authorize a variation of the
overtime wage provisions where: a) hours
worked are averaged over a period of more
than one week; b) less than 5 days are worked
in a week; or c) the basis for calculation of
overtime wages has been established by
agreement between the employer and his
employees or their representatives.

**In British Columbia, the list of exclusions from the entire Act and
from the hours of work provisions is very extensive, covering nearly
30 categories of employees - For a complete list see the Employment
Standards Act Regulation

Manitoba - (Employment Standards Act)

Hours of Work: Standard 8 in a day
and 40 in a week
maximum:

Exclusions: professional employees, farming, domestic servants employed in a private home who work no more than 24 hours in a week, fishing, voluntary employees for specific organizations, commissioned travelling salesmen, independent contractor, person employed in a private home as a sitter for a child or as a companion of an aged, infirm or ill member of the household, student in training, person employed under a rehabilitation or therapeutic project, certain provincial government employees, construction workers, employees employed in a business where only members of the employer's family are employed.

Overtime: After 8 in a day 40 in a week - $1\frac{1}{2}$ times the regular rate.

Exclusions: same as above.

Variation of Working Hours:

It is possible to vary the working hours of employees to establish a compressed workweek, or to facilitate the arrangement or rotation of shifts with the authorization of the Manitoba Labour Board. The Board may also authorize any daily, weekly or monthly maximum number of hours for any class or group of employees.

New Brunswick*

Hours of Work:
(Minimum Employment
Standards Act)

Employees under 18:

Maximum: 9 in a day
48 in a week

Exclusions: children employed by their parent or guardian, domestics in a private home and farm workers.

* The Employment Standards Act, when it will be proclaimed in force, will make certain changes to the letter of the law concerning hours of work.

New Brunswick* (Continued)

Hours of Work:
(Minimum Wage
Order)

Time workers, salaried employees and piece
workers:

Standard: 44 in a week

Overtime:
(Minimum Wage
Order)

After 44 in a week - $1\frac{1}{2}$ times the
minimum rate.

Exclusions: domestic service, agricultural
workers.

Newfoundland - (Labour Standards Act and Regulations, 1985)

Hours of Work:

A. Assistants (shop employees)

Standard: 8 in a day
40 in a week

Maximum: 16 hours in a day

B. Other employees

Standard: 44 in a week

Maximum: 16 hours in a day

Exclusion: professionals and students in
professional training

Overtime:

Shop employees: After 8 in a day and 40 in a
week - minimum set rate representing $1\frac{1}{2}$ times
the minimum wage

Other employees: After 44 in a week -
 $1\frac{1}{2}$ times minimum rate

Exclusions: domestic servants, agricultural
work other than production of fruit and vege-
tables in greenhouse and nursery operations
and persons employed in the raising of
livestock.

*The Employment Standards Act, when it will be proclaimed in force, will
make certain changes to the letter of the law concerning hours of work.

Nova Scotia - (Labour Standards Code and Regulation General Minimum Wage Order)

Hours of Work: Standard: 48 in a week

Exclusions: supervisory, managerial or employees employed in a confidential capacity, farm labourers, domestic servants, certain apprentices, professional employees or students of such professions, automobile, real estate and insurance salesmen, employee on fishing vessels, teachers, etc.*

Overtime: After 48 in a week - $1\frac{1}{2}$ times minimum rate.

Exclusions: Same as above, plus ambulance drivers or attendants, employees employed in a building where they reside, as janitors, watchmen or superintendents, and service station employees if the station they work at is required to remain open more than 48 hours in a week.

Exception: An employee in the transport industry who is required to be away from his home base overnight is paid overtime after 96 hours in any two consecutive weeks.

Variation of Hours of Work:

Where by law, custom or agreement, the hours of work on one or more days of the week are less than the period determined by the Minimum Wage Board, the period so determined may be exceeded on the remaining days of the week, by agreement between the employer and his employees or their representatives.

Ontario - (Employment Standards Act and Regulation)

Hours of Work: Maximum: 8 in a day
48 in a week

*In Nova Scotia and Ontario, the list of exclusions from the entire Act from the hours of work provisions and from the overtime pay provisions is very extensive. For complete list, see the appropriate Acts and Regulations.

Ontario - (Employment Standards Act) (Continued)

Exclusions: supervisory and managerial employees, domestic servants, construction, resident janitors or caretakers, full-time firefighters, fishing or hunting guides, persons engaged in landscape gardening, mushroom growing, horticulture, and certain other agricultural activities, certain categories of professionals, teachers, funeral directors and embalmers, homeworkers, etc.*.

Overtime:

After 44 in a week - $1\frac{1}{2}$ times regular rate.

Exceptions: Road building: streets, highways and parking lots - 55 hours before overtime rates applies.

Road building: bridges, tunnels and retaining walls: 50 hours before overtime rate applies.

Local cartage: 50 hours before overtime rate applies.

Highway transport: 60 hours before overtime rate applies.

Hotel, motel, tourist resort, restaurant and tavern employee who works 24 weeks or less in a calendar year and who is provided with room and board: 50 hours before overtime rate applies.

Fresh fruits and vegetable processing: 50 hours before overtime rate applies.

Sewer and watermain construction: 50 hours before overtime rate applies.

Exclusions: Mostly the same as above. See the Employment Standards Act Regulations.

Variation of Hours
of Work:

The Director may approve a variation of the working day for the purpose of establishing compressed workweeks.

*In Nova Scotia and Ontario, the list of exclusions from the entire Act from the hours of work provisions and from the overtime pay provisions is very extensive. For a complete list, see appropriate Act and Regulations.

Prince Edward Island - (Minimum Wage Order 1/85)

Hours of Work: Standard: 48 in a week

Exclusions: registered apprentices, farm labourers who are not engaged in a commercial undertaking, persons employed for the sole purpose of protecting and caring for children in private homes, employees of non-profit organizations who are required to reside at a facility operated by their employer.

Overtime: After 48 in a week - set minimum rate representing $1\frac{1}{2}$ times minimum wage.

Exclusion: all of above and ambulance drivers except in respect of the first 12 hours of overtime per week.

Québec - (Labour Standards Act and Regulation)

Hours of Work: Standard: 44 in a week

Exclusions: The consort of the employer and their ascendants and descendants; a student employed in a social or community non-profit organisation; an executive officer of an undertaking; an employee who works outside an establishment whose working-hours cannot be controlled; an employee assigned to harvesting canning, packaging and freezing fruit and vegetables during the harvesting periods; an employee of a fishing, fish processing or fish canning industry; a farm worker; an employee whose main duty is the care, in a dwelling, of a child, or of a disabled, handicapped or aged person if that work does not serve to procure profit to the employer; construction workers; certain contract workers; a student who works during the school year in an establishment selected by an educational institution pursuant to a job program approved by the Ministère de l'Education.

Québec - (Labour Standards Act and Regulation) (Continued)

Exceptions: Domestic living in the
employers' home: 53 hours in a week.

Employees working a remote area or on the
James Bay territory: 55 hours.

Employees working in a forestry operation or
sawmill: 47 hours.

A watchman other than one employed by a
commercial surveillance service: 60 hours.

Overtime:

Work performed in excess of standard hours:
 $1\frac{1}{2}$ times regular rate (i.e., premium of
50% of regular rate).

Staggering of Hours
of Work:

An employer may, with the authorization of
the Commission, stagger the working-hours in
such a manner that the average of the
working-hours is equivalent to the norm
prescribed. The Commission's authorization
is not required where staggering is provided
by a collective agreement or a decree.

Saskatchewan - (Labour Standards Act and Regulation)

Hours of Work:

Standard: 8 in a day
40 in a week

Maximum: 44 in a week

Excluded from both hours of work and overtime
provisions: employees in certain northern
areas of province, managerial employees, farm
workers, certain professional employees and
students, commercial travellers, logging,
road construction, automobile salesmen and
civil servants employed as field employees,
certain driver-salesmen in wholesale
businesses, teachers, handicapped employed
in a sheltered workshop or a work activity
centre, and domestic workers.

Saskatchewan - (Labour Relations Act and Legislation) (continued)

Overtime: After 8 in a day and 40 in a week -
1½ times the regular rate.

Employees: certain employees of city newspapers - 50 hours in 2 weeks; oil truck drivers averaged over 1 year.

Averaging: The Director may authorize the averaging of hours of work over any period, in any occupational classification. The average number of hours worked by any employee must not exceed eight hours per day worked or 40 hours per week during the averaging period. No authorization is necessary where the employer obtains the written consent of the trade union representing the employees and such consent is limited to provide that the average number of hours are not exceeded unless overtime wages are paid.

Variation of Working Hours: The Director may authorize a variation of the standard hours of work to permit the establishment of compressed workweeks. No authorization is necessary if the employer obtains the written consent of the trade union representing the employees and such consent is limited to a compressed workweek of no more than 10 hours in any day or 40 hours in any week, unless overtime wages are paid.

Northwest Territories - (Labour - 1910-1911)

Hours of Work:	Standard:	8 in a day 44 in a week
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Maximum: 10 in a day
54 in a week

Operations: mining and petroleum exploration and development, isolated transportation and maintenance: 176 hours in four consecutive weeks or a maximum 216 hours in four consecutive weeks.

Northwest Territories - (Labour Standards Act) (Continued)

~~Exclusions:~~ domestic servants, trappers and persons engaged in commercial fisheries, members or students of certain professions, ~~managerial employees.~~

Overtime: After standard hours - $1\frac{1}{2}$ times regular rate.

Exclusions: Same as above

Averaging of Hours of Work: Where the nature of the work in an establishment necessitates irregular distribution of hours of work, the Labour Standards Officer may authorize, in writing, the standard and maximum hours to be calculated as an average for a period of one or more ~~weeks.~~

Yukon Territory - (Employment Standards Act and Regulations)

Hours of Work: Standard: 8 in a day
40 in a week

Maximum: 10 in a day
60 in a week
260 in a month

~~Exclusions:~~ employees who are members of the employer's family, mineral exploration, prospecting activities, supervisory and managerial employees, members or students of certain professions, a guide or outfitter a ~~custodian~~ or caretaker (unless his employer is a private security agency), farm workers ~~miners~~, domestic servants and persons receiving a payment supplement to benefits or the ~~unemployment~~ in accordance with section 38 of the Unemployment Insurance Act, 1971.

Overtime: After standard hours - $1\frac{1}{2}$ times regular rate.

Persons employed in mines are not to work in excess of the standard hours.

Exclusions: same as above.

Yukon Territory - (Employment Standards Act and Regulations) (Continued)

Averaging of Hours
of Work:

Where the nature of the work justifies irregular distribution of hours of work, or where the employer and the trade union representing his employees agree in writing, the Director may order that the weekly standard hours of work of the employees be averaged over a period of two or more weeks, as prescribed in the order.

Variation of Working
Hours:

Where the employer and the trade union, or a majority of employees where there is no trade union, agree in writing, the employees may work a compressed workweek of 10 hours in any day over a period of four days in a week or 12 hours in any day over a period of three days in a week, without requiring overtime pay to be paid.

MATERNITY PROTECTION AND PARENTAL LEAVE*

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Federal Canada Labour Code	<p>If confinement occurs on or before date specified in certificate: 17 weeks.</p> <p>If confinement occurs after the date specified in certificate: 17 weeks + period equal to the period between date specified in certificate and actual date of delivery. Leave may commence no earlier than 11 weeks before expected date of birth and must end no later than 17 weeks following actual date of birth.</p> <p>Additional 24 weeks of child care leave is available to either parent, whether natural or adoptive.</p>	<p>6 months of continuous service; application 4 weeks before commencement of leave or to change the length of the leave; medical certificate.</p>	<p>Work, undertaking of business of a local or private nature in Yukon or Northwest Territories.</p>	<p>No dismissal suspension, lay off, demotion or other disciplinary measure because of pregnancy or application for leave. Employee's pregnancy or intention to take child care leave not to be taken into account in any decision regarding training or promotion.</p> <p>Reinstatement in the same position or in comparable one with not less than same wages and benefits and in the same location as the previous position. Employee has the right to receive employment information during absence.</p>	<p>Pension, health and disability benefits and seniority continue to accrue during the entire period of leave. However, if a monetary contribution is required of the employee with regard to a benefit, and he or she fails to pay it, pre-and post leave employment is deemed continuous for the purpose of calculating the pension, health and disability benefits.</p> <p>Employment deemed continuous where</p>

*The Northwest Territories has no legislated provisions on maternity leave.

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Federal (Continued)					business transferred from one employer to another. The 24 weeks child care leave may be used as adoption leave or as paternity leave. The leave is available to either parent and may be shared by both in such a way as the aggregate period of leave totals 24 weeks. weeks.

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Alberta Employment Standards Act Individual's Rights Protection Act	18 weeks Pre-natal: 12 weeks Post-natal: at least 6 weeks 3 weeks longer where recommended in medical certificate.	1 year of continuous service; notice 2 weeks before commencement of leave; medical certificate, if required by the employer.	Farm labourers domestic servants, municipal police and public employees.	An employer cannot terminate or lay off an employee who has commenced maternity leave. Reinstatement in same position or in comparable one with not less than same wages and benefits. Employee must give 2 weeks' notice of date of resumption of employment.	Employer may require employee to commence maternity leave (within the entitled period of leave) where pregnancy interferes with performance of duties.
				An employer cannot refuse to continue to employ an employee or discriminate against her in any term or condition of employment solely because she is pregnant.	

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
New Brunswick Minimum Employment Standards Act	12 weeks or longer to a maximum of 17 weeks Pre-natal: 6 weeks before expected date. Post-natal: 6 weeks.	Medical certificate.	Child employed by parent or guardian; domestic workers; farm workers.	No notice of dismissal for reasons arising out of leave until employee is absent for a maximum of 17 weeks.	Employer may not refuse to employ a female person who is pregnant for reasons arising from her pregnancy only.
Newfoundland Labour Standards Act	17 weeks Pre-natal: 11 weeks + period between estimated and actual date of birth. Post-natal: 6 weeks. Either or both periods may be reduced by consent and with medical certificate. Either or both periods may be increased by consent.	1 year of continuous service; medical certificate, certification to her em- ployer of the estimated date of birth not later than 15 weeks before leave.	Domestic servants.	No dismissal because leave permitted by the act is taken. In case of dismissal onus of proof is on employer. Terms of contract of service are so resumed that con- ditions are not less beneficial.	Pre- and post- leave employment deemed continuous for pensions and other benefits.

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Nova Scotia Labour Standards Code	17 weeks Pre-natal: At any time from 11 weeks before expected delivery. Post-natal: 6 weeks compulsory; shorter period on opinion of doctor. Compulsory at any time on request of employer where duties cannot reasonably be performed by pregnant woman or performance materially affected by pregnancy.	1 year's service; medical certificate.	Domestic servants in private home, profession- als, students engaged in professional training and teachers.	No dismissal because of pregnancy of an employer who is entitled to leave. Reinstatement with no loss of seniority or benefits.	Adoption leave up to 5 weeks may be granted to a female employee on receipt of a certificate.
Ontario Employment Standards Act, 1974	17 weeks minimum Pre-natal: voluntary 11 weeks before expected date or actual delivery. Post-natal: 6 weeks, shorter period with medical certificate and one week's notice to employer. Employer may require em- ployee to commence leave where duties cannot reason- ably be performed by pregnant women or performance materially affected by pregnancy.	Employed 1 year and 11 weeks immediately preceding expected date of delivery; medical certificate with 2 weeks' notice.	Students in certain approved work programs, inmates of provincial correctional institutions, offenders performing work under court orders.	Termination or lay-off of employee entitled to leave is prohibited. Reinstatement at same wages and without loss of seniority or benefits accrued in same position or comparable work.	When employer's operations cease or are interrupted during leave employee must be reinstated in same posi- tion or to alternate work with no loss of seniority accrued to the commencement of her leave if the operations resume.

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Prince Edward Island Labour Act	<p>Seventeen weeks.</p> <p>Pre-natal: 11 weeks before the estimated date of birth.</p> <p>Post-natal: not less than six weeks after the actual date of birth, or a shorter period if the employee so requests.</p> <p>The employer may request that an employee begin her leave not more than three months before the estimated date of birth where, and the onus of proof is on the employer, the pregnancy would unreasonably interfere with the performance of her duties.</p>	<p>Employed for 12 continuous months or more;</p> <p>application at least 4 weeks before the commencement of leave;</p> <p>medical certificate.</p>	<p>Farm labourers, persons whose primary source of income is derived from commission on sales.</p>	<p>Employer may not dismiss, lay off or suspend an employee by reason only of the fact that she is pregnant, is temporarily disabled because of pregnancy or has applied for maternity leave. Reinstatement in same position or in a comparable one with not less than the same wages and benefits. The employer is however not obliged to pay pension benefits in respect of any period maternity leave granted to an employee.</p>	<p>Adoption leave of up to six weeks may be granted to a female employee on receipt of a notice from the Director of Child Welfare or from a child welfare agency of the proposed placement of a child six years of age or younger.</p>

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
<p>Québec An Act respecting Labour Standards and Regulations. An Act Respecting Occupational Health and Safety</p>	<p>18 weeks maximum. The leave may be divided at the employee's discre- tion before and after the expected date of birth; the leave may start only as of the beginning of the 16th week preceding the expected date of birth. If birth takes place after the expected date, the leave can be extended equal to the period of delay but not if the employee still has 2 weeks post-natal from the original leave. Maternity leave can be extended on medical certificate up to 6 weeks.</p>	<p>20 weeks of service for the same employer during the last 12 months. Within 3 weeks before commencement of leave; medical certificate.</p>	<p>Farm employees where no more than 3 employees are habitually employed; employees employed in a dwelling to care for a child or a disabled, handicapped or aged person, a student employed in a job induction program.</p>	<p>Employer must reinstate the employee in her former position with all rights and benefits. Employee must give 3 weeks' notice of date of resumption of employment, if she has decided to shorten her leave from the date specified in the notice to her employer of the expected date of return. An employee who does not return to work at the end of her maternity leave is presumed to have resigned. Dismissal, suspen- sion or transfer of any employee because of preg- nancy is prohibited.</p>	<p>Upon presen- tation of medical certificate, the employee may request to work at other tasks if the condi- tions of work are hazardous to her or the unborn child, or to the child she is breast-feeding. If the request is not granted, the employee may cease work immediately without loss of rights or benefits. The employee may not be required to recommence work until either she is reassigned or the delivery has occurred.</p>

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Québec (continued)					<p>The employee's job must be kept available for her upon her return. As of the 6th week preceding the expected date of birth, the employer may require the pregnant employee to produce a written medical certificate. An employee may be absent from work, without pay, for 2 days at the birth or adoption of a child.</p>

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Saskatchewan Labour Standards Act	<p>18 weeks Pre-natal: 12 weeks. Post-natal: 6 weeks - shorter period with permission of employer. A further 6 weeks with medical certificate giving bona fide reasons why employee is unable to return to work. Employer may require that employee commence maternity leave not more than 3 months before expected date of birth where pregnancy would interfere with performance of duties.</p> <p>Special: (where no application made) total leave: 14 weeks; not less than 6 weeks after birth.</p>	<p>1 year of continuous service; application 4 weeks before commencement; medical certificate.</p>	<p>Farming, ranching or market gardening.</p>	<p>No dismissal, lay-off suspension or discrimination solely because of pregnancy or application for leave. Onus of proof is on employer. Reinstatement in same or comparable position with no less than the same wages and benefits.</p>	<p>14 days notice of intention of resuming work to be given to employer. Upon written application, an employee who has worked continuously for 12 months is entitled to: (a) Paternity leave: 6 weeks maxi- mum to be taken in any combination during 3 month period before or after estima- ted date of birth. (b) Adoption leave: 6 weeks maxi- mum commencing on day child</p>

Jurisdiction & Legislation	Period of Leave	Requirements	Exclusions	Job Security	Other
Saskatchewan (continued)					on day child becomes available for adoption. 14 days notice before returning to work. Reinstatement in same position or comparable with not less than same wages and benefits.
Yukon Employment Standards Act	17 weeks	12 months of continuous employment; written request for leave at least 4 weeks in advance; medical certificate.	sitters; persons receiving supplemental benefits under s.38.1 of the Unemployment Insurance Act, 1971.	No termination or change in the conditions of employment because of leave or because of pregnancy. Reinstatement in the same or in a comparable position with no less than the wages and benefits accrued. If the employee cannot to increments in wages and benefits awarded during her absence.	Employer may request that an employee begin her leave at any time during the period of six weeks preceding the expected date of delivery or sooner, with the consent of the Director, if the employee cannot reasonably perform her duties because of the pregnancy.

Jurisdiction	Legislation	Act Refers to ...	Equal Work/Value (Criteria)
Federal	Canadian Human Rights Act (s.11) Canada Labour Code (s.38)	Salaries as well as other forms of compensation.	Equal value - skill, responsibility, effort and working conditions
Alberta	Individual's Rights Protection Act (s.6)	Rate of pay	Equal or substantially similar work (6(1)a)
British Columbia	Human Rights Act (s.7)	Rate of pay	Similar or substantially similar - skill, effort, responsibility (s.7(1))
Manitoba	Employment Standards Act, Part IV (s.40) Human Rights Act - general (s.6) Pay Equity Act (Applies only to the Public Works)	Wages Any term or condition of employment Any form of remuneration or benefit for work performed (s.1)	Same or substantially the same - job duties, responsibilities, services (s.40(1)) Equal or comparable value - composite of skill, effort, responsibility and working conditions. (ss.1, 6(1))
New Brunswick	Human Rights Act - general discrimination (s.3)	Any terms and conditions of employment	-
Newfoundland	Human Rights Code (s.10)	Wages, benefits	Same or similar work under same or similar working conditions, similar skill, effort, responsibility (s.10(1))

Jurisdiction	Legislation	Act Refers to ...	Equal Work/Value (Criteria)
Nova Scotia	Labour Standards Code (s.55) Human Rights Act - general discrimination (s.11)	Wages	Substantially the same work, in the same establishment, substantially equal skill, responsibility, effort, working conditions (s.55)
Ontario	Employment Standards Act (s.17)	Rate of pay	Substantially the same work requiring substantially same skill, responsibility, effort, working conditions (s.17)
Prince Edward Island	Human Rights Code - general discrimination (s.4) Human Rights Act (s.7)	Employment Rate of pay	Substantially the same work, requiring equal education, skill, experience, effort, responsibility, working conditions (s.7(1))
Québec	Charter of Human Rights and Freedoms (s.19)	Wages	Equivalent work (i.e. work of equal value) (s.19)
Saskatchewan	Labour Standards Act, Part III (s.17)	Rate of pay	Similar work, similar skill, responsibility, effort, working conditions (17(1))
Northwest Territories	Fair Practices Act (s.6)	Rate of pay	Similar or substantially similar work, job duties or services (6(2))
Yukon	Employment Standards Act (s.43)	Rate of pay	Similar work under similar conditions, skill, effort, responsibility (s.43)

Jurisdiction	"Reasonable Factors" Which Justify a Difference in Pay	Complaint Procedure	Restrictions on Recovery of Wages - Time Limit or Momentary
Federal	Different performance ratings, seniority, red circling, rehabilitation assignments, demotion-pay procedure, phased-in wage reductions, temporary training, labour shortage, change in work performed (guidelines)	Complainant initiates an investigation; settlement may be attempted at all stages; the Commission may appoint a conciliator. If there is no settlement, a human rights tribunal may be appointed. Failure to comply with the tribunal's decision is an offence punishable by fine. The decision may be appealed to a court. (ss.31 and fn.)	No monetary limit, limitation period of 2 years prior to complaint.
Alberta	Any factor other than sex if the factor normally justifies a difference	Complaint referred from officer to supervisor to assistant director may be heard by Human Rights Commission (s.20), board of inquiry and Supreme Court of Alberta (s.33).	Recovery of wages restricted to 12-month period prior to termination or commencement of proceedings (s.6(6)(c))
British Columbia	Seniority, merit, or systems which measure quantity or quality of production s.7(2); factor other than sex, s.7(3)	Investigations proceed to board of inquiry if no settlement proceed to Supreme Court of B.C.	Recovery of wages restricted to 12-month period prior to termination or commencement of proceedings (s.7(5)(a))
Manitoba	"factors other than sex" in opinion of wages board, s.40(3)	Investigation made, if pay refused then collection is made under Payment of Wage Act. May proceed to Labour Board and county courts.	Wages may be recovered for only 1 year prior to the date of information and complaint (s.14(4))

Jurisdiction	"Reasonable Factors" Which Justify a Difference in Pay	Complaint Procedure	-Time Limit or Monetary
Manitoba (Continued)	According to the Pay Equity Act, comparisons are made only between male-dominated and female-dominated classes of employees, which are usually composed of 70% or more employees of the same sex. Because exact allocation of pay equity wage adjustments must be negotiated, any factor may be considered. (s.1, 8, 9, 13, 14)	Management and labour are responsible for the development or selection, and application of a job-evaluation system. They must also reach a subsequent agreement respecting the exact allocation of the pay equity wage adjustment. Crown entities fail to reach the required agreements in the time prescribed. Employees will be resolved by an arbitration board for the Civil Service and by the Manitoba Labour Board for Crown entities and external agencies. (s.8, 9, 10, 13, 14, 15)	Pay equity wage adjustments will have begun being made no later than September 30, 1987 in the Civil Service and no later than September 30, 1988 in Crown entities and external agencies. Crown employers may be limited to 1% of the government's total payroll per year, over a period of four years. (s.7(f), 9(f)(c), 11(f)(c))
New Brunswick	"Bona fide" occupational qualifications as decided by Commission	Investigation; Commission will decide settlement and attempt conciliation. May be appealed to board of inquiry. Failure to comply constitutes a summary conviction offence. (ss. 19 and fn)	None
Newfoundland	Seniority s.10(1)(a) Merit s.10(1)(b)	Complaint made to director may be referred to the Minister. The Minister may refer to a Commission. Appeal to courts available.	None

Jurisdiction	"Reasonable Factors" Which Justify a Difference in Pay	Complaint Procedure	Restrictions on Recovery of Wages - Time Limit or Monetary
Nova Scotia	"Factor other than sex" s.55(2)	Complaint made to director and investigation is made. A settlement can be attempted. If no settlement is reached, the case will be referred to a labour board which will refer the case to court.	None
Ontario	Seniority system s.33(a); Merit system s.33(b); Quantity or quality of production s.33(c); any "Factor other than sex" s.33(d)	The employment standards officer investigates and decides the case. The director has discretion to review or appeal decision (s.33(4)); there is a general penalty provision; contravention is a summary offence; there is also a civil remedy.	Assessment of employment standard officer limited to \$4 000. No restriction assessed by Provincial Court. Limitation - 2 years from time director received notice (ss.47, 63)
Prince Edward Island	Seniority s.7(a); Merit s.7(b); Quantity or quality of production or performance s.7(c); Factors may not be based on discrimination.	Complaint proceeds to Commission and Board of inquiry. May be appealed to Supreme Court.	Supreme Court restricted to 12 months prior to commencement of proceedings or termination. Human Rights Commission: no restriction (s.7(4))
Quebec	Seniority, years of service, merit, productivity or overtime not discriminatory if criteria common to all members (s.19)	The Commission tries to conciliate; it then makes recommendations. There is an appeal to court under the Summary Convictions Act. (ss.81 and fn.)	None

MINIMUM WAGE RATES
FOR EXPERIENCED ADULT WORKERS AND YOUNG WORKERS AND STUDENTS

Jurisdiction	Experienced Adult Workers	Effective Date	Young Workers and Students*	Effective Date
Federal	\$3.50	01/05/81	Employees under 17: \$3.25	01/05/81
Alberta	\$3.80	01/05/81	Employees under 18 not attending school: \$3.65	01/05/81
			Employees under 18 attending school: \$3.30	01/05/81
British Columbia	\$3.65	14/03/81	Employees 17 and under \$3.00	14/03/81
Manitoba	\$4.30	01/01/85	Employees under 18: \$3.85	01/01/85
New Brunswick	\$3.80	01/10/82		
Newfoundland ¹	\$4.00	01/01/85		
Nova Scotia	\$4.00	01/01/85	Underage employees 14 to 18: \$3.55	01/01/85
Ontario	\$4.00	01/10/84	Students under 18 employed for not more than 28 hours in a week or during a school holiday: \$3.15	01/10/84
Prince Edward Island	\$4.00	01/10/85	Employees under 18: \$3.25	01/10/85
Québec	\$4.00	01/10/81	Employees under 18: \$3.54	01/10/81

*New Brunswick, Newfoundland, Saskatchewan and the Yukon Territory have no special rates for young workers in schools.

¹Sixteen years of age and over.

Jurisdiction	Experienced Adult Workers	Effective Date	Young Workers and Students*	Effective Date
Saskatchewan	\$4.50	01/08/85	Employees under 17: \$3.75	01/08/82
Northwest Territories	\$4.25	01/08/82		
Yukon	\$4.25	01/01/85		

MINIMUM WAGE RATES
FOR OTHER CATEGORIES OF EMPLOYEES

Jurisdiction	Rates & Categories	Effective Date
Alberta	Various categories of salespersons: \$150 a week	01/05/81
British Columbia	Live-in homemakers, domestics, farm workers or horticultural workers paid wages other than on an hourly or piece work basis: \$29.20 a day or part of a day worked	14/03/81
	Resident caretakers in apartment buildings of 8 to 60 units: \$219/month plus \$8.76/unit	01/12/80
	Buildings of more than 60 units: \$744/month	01/12/80
Newfoundland	Domestics employed in a private home (16 and over): \$2.75	01/01/85
Ontario	Employees serving alcoholic beverages in licensed establishments: \$3.50	01/10/84
	Construction workers: \$4.25	01/10/84
	Domestic employees* (cooks, housekeepers, nannies) who work more than 24 hours a week: \$32 a day \$176 a week \$757 a month \$4.00 an hour	01/03/85

*Does not apply to baby sitters or companions.

Jurisdiction	Rates & Categories	Effective Date
Quebec	Employees who usually receive, gratuities:	
	18 and over: \$3.28	01/10/81
	Under 18: \$2.95	01/10/81
	Domestic workers residing at the employer's residence:	
	\$134 a week	01/10/81
	Domestics who do not reside at the employer's residence and agricultural workers:	
	18 and over: \$4.00	01/10/81
	Under 18: \$3.54	01/10/81
	Forestry Operations:	
	Employees who cut wood: \$4.26	01/10/81
	Cooks, cooks' helpers, fire-wardens or employees paid on a contract basis:	
	\$1.97	01/10/81
	Any other employee less than 18 years of age: \$3.65	01/10/81

GENERAL MINIMUM WAGE RATES FOR EXPERIENCED ADULT WORKERS SINCE 1965

Jurisdiction	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
Federal	\$1.25					July 1 \$1.65	July 1 \$1.75	Nov. 1 \$1.90		April 1 \$2.20
Alberta	\$1.00		Aug. 1 \$1.10	Jan. 1 \$1.20		April 1 \$1.40			Jan. 1 \$1.75 Oct. 1 \$1.90	April 1 \$2.00
British Columbia	\$1.00		May 1 \$1.10 Nov. 1 \$1.25			May 4 \$1.50		Dec. 4 \$2.00	Dec. 3 \$2.25	June 3 \$2.50
Manitoba	Dec. 1 \$0.85 (urban) \$0.80 (rural)	July 1 \$0.92 (urban) \$0.90 (rural) Dec. 1 \$1.00	Dec. 1 \$1.10	April 1 \$1.15 Aug. 1 \$1.20 Dec. 1 \$1.25	Dec. 1 \$1.35	Oct. 1 \$1.50	Nov. 1 \$1.65	Oct. 1 \$1.75	Oct. 1 \$1.90	July 1 \$2.15
New Brunswick	Average \$0.80			Jan. 1 \$1.00		Jan. 1 \$1.15	Sept. 1 \$1.25	March 1 \$1.40	Jan. 1 \$1.50	Jan. 1 \$1.75 July 1 \$1.90
Newfoundland	M \$0.70 F \$0.50			May 1 M \$1.10 F \$0.85		July 1 M \$1.25 F \$1.00		June 1 \$1.40		Jan. 1 \$1.80 July 1 \$2.00

F - Female
M - Male

Jurisdiction	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
Nova Scotia	M \$1.05 F \$0.80	June 1 M \$1.10 F \$0.85		April 1 M \$1.15 F \$0.90	Aug. 1 M \$1.25 F \$1.00		Jan. 1 M \$1.30 F \$1.10 July 1 M \$1.35 F \$1.10	July 1 \$1.55	July 1 \$1.65	July 1 \$1.80 Oct. 1 \$2.00
Ontario	\$1.00				Jan. 1 \$1.10	Oct. 1 \$1.50	April 1 \$1.65		Feb. 1 \$1.80	\$2.00 Oct. 1 \$2.25
Prince Edward Island	\$1.00	April 16 \$1.10		July 1 F \$0.80	Jan. 1 F \$0.85 July 1 F \$0.95 Sept. 1 M \$1.25			July 1 F \$1.10	July 1 M \$1.40 F \$1.30	Jan. 1 \$1.65 July 1 \$1.75
Québec	\$0.85	Nov. 1 \$1.00	April 1 \$1.05	Nov. 1 \$1.25		May 1 \$1.35 Nov. 1 \$1.40	May 1 \$1.45 Nov. 1 \$1.50	Aug. 1 \$1.60 Nov. 1 \$1.65	May 1 \$1.70 Nov. 1 \$1.85	May 1 \$2.10 Nov. 1 \$2.30
Saskatchewan	\$38 per week	July 22 \$40 per week		Oct. 1 \$1.05	Oct. 1 \$1.25		June 1 \$1.50	Jan. 2 \$1.70 July 1 \$1.75	Dec. 1 \$2.00	July 2 \$2.25
Northwest Territories				July 1 \$1.25		Sept. 1 \$1.50			Sept. 1 \$2.00	April 1 \$2.50
Yukon Territory				July 1 \$1.25		May 1 \$1.50		Jan. 1 \$1.75	June 1 \$2.00*	April 1 \$2.30*

F - Female
M - Male

*Federal rate plus ten cents.

Jurisdiction	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Federal	July 23 \$2.60	April 1 \$2.90				Dec. 1 \$3.25	May 1 \$3.50				
Alberta	Jan. 1 \$2.25 July 1 \$2.50	March 1 \$2.75	March 1 \$3.00			May 1 \$3.50	May 1 \$3.80				
British Columbia	Dec. 1 \$2.75	Jan. 1 \$3.00				July \$3.40 Dec. 1 \$3.65					
Manitoba	Jan. 1 \$2.30 Oct. 1 \$2.60	Sept. 1 \$2.95			July 1 \$3.05	Jan. 1 \$3.15	March 1 \$3.35 Sept. 1 \$3.55	July 1 \$4.00			Jan. 1 \$4.30
New Brunswick	Jan. 1 \$2.15 July 1 \$2.30	June 1 \$2.55 Nov. 1 \$2.80				July 1 \$3.05	Oct. 1 \$3.35	Oct. 1 \$3.80			
Newfoundland	Jan. 1 \$2.20	Jan. 1 \$2.50			June 1 \$2.80	July 1 \$3.15	March 31 \$3.45		Jan. 1 \$3.75		Jan. 1 \$4.00

F - Female
H - Male

Jurisdiction	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Nova Scotia	Jan. 1 \$2.20 Mar. 1 \$2.25	Jan. 1 \$2.50	Jan. 1 \$2.75			Oct. 1 \$3.00	Oct. 1 \$3.30	Oct. 1 \$3.75			Jan. 1 \$4.00
Prince Edward Island	Jan. 1 \$2.00 Oct. 1 \$2.50	Jan. 1 \$2.50	July 1 \$3.00	Nov. 1 \$2.75		July 1 \$3.00	July 1 \$3.30	Oct. 1 \$3.75			Oct. 1 \$4.00
Quebec	June 1 \$2.60 Dec. 1 \$2.80	July 1 \$2.87	Jan. 1 \$3.00 July 1 \$3.15	Jan. 1 \$3.27 Oct. 1 \$3.37	April 1 \$3.47	April 1 \$3.65	April 1 \$3.85 Oct. 1 \$4.00				Aug. 1 \$4.50
Saskatchewan	March 31 \$2.50	Jan. 1 \$2.80	Jan. 1 \$3.00	Jan. 31 \$3.15 June 30 \$3.25	Oct. 1 \$3.50	May 1 \$3.65	Jan. 1 \$3.85 July 1 \$4.00	Jan. 1 \$4.25			
Northwest Territories		June 1 \$3.00				May 15 \$3.50		Aug. 1 \$4.25			
Yukon Territory	July 23 \$2.70*	April 1 \$3.00*				Dec. 1 \$3.35*	May 1 \$3.60*				Jan. 1 \$4.25

*Federal rate plus ten cents.

NOTICE OF INDIVIDUAL TERMINATION OF EMPLOYMENT*

Jurisdiction and Legislation	Notice Required	Application to Employers and Employees	Other Requirements
Federal Canada Labour Code and Regulation	2 weeks	Employers not required to give notice to employees employed less than 1 year.	<p>A layoff is not deemed to be a termination when: it is a result of a strike or lockout; it is a result of a layoff or lockout in another part of the business; or an employer to reduce its operating costs has laid off its employees.</p> <p>If an employee is laid off for more than 3 months, the employer must give notice of termination. If the layoff is for more than 3 months, the employee is entitled to receive payments from his employer, the employer continues to make payments to a pension benefits plan or a group or employee insurance plan, the employee receives supplementary unemployment benefits, or the employee would be entitled to receive the benefits but is disqualified pursuant to the Unemployment Insurance Act, 1971; or the layoff is for a term of more than 3 months but not more than 12 and the employee maintains recall rights pursuant to a collective agreement. With reference to the 3-month periods mentioned above, any period of re-employment of less than 2 weeks are not to be included.</p> <p>Severance Pay: an employee who has completed 12 consecutive months of employment is entitled to 2 days' wages in respect of each completed year of employment but not less than five days wages at his regular rate.</p>

*New Brunswick, and the Northwest Territories have, as yet, no provisions regarding notice of individual termination of employment.

Jurisdiction and Legislation	Notice Required	Application to Employers and Employees*	Other Requirements
<p>Alberta Employment Standards Act</p>	<p>Where employed at least 3 months but less than 2 years: 7 days. Where employed 2 years or more: 14 days</p>	<p>Employers not required to give notice to employees employed less than 3 months, seasonal employees, construction workers, etc. from the time of hiring.</p>	<p>A layoff is deemed temporary when: It is of less than 60 days; or It is of 60 or more but the employee receives payments from the employer, or the employer makes payments for the benefit of the employee to a pension plan.</p>
<p>British Columbia Employment Standards Act and Regulation</p>	<p>Where employed at least 6 consecutive months: 2 weeks. After 6 consecutive years: 3 weeks, thereafter one additional week for each additional year of employment up to a maximum of 8 weeks.</p>	<p>Employers not required to give notice to employees employed less than 6 consecutive months, persons employed for a definite term not exceeding 12 months, B.C. Railway Company employees, construction workers, professionals, certain salesmen, students in certain approved work programs, students employed at school where they are enrolled, persons employed in a private residence solely to attend to a child, persons receiving income assistance while participating in an employment program, artists, musicians, performers or actors, student nurses, disabled employees of a charity receiving therapy or engaged in a therapeutic work program, etc. Employees not required to give notice.</p>	<p>A layoff is deemed temporary when: It does not exceed 13 weeks in a period of 20 consecutive weeks, or it exceeds 13 weeks but the employee is recalled within a time fixed by the director of employment standards. For a week to count, the employee must have earned less than 50% his normal weekly wage averaged over the previous 8 weeks.</p>

*For a complete list of exclusions see the Employment Standard Act in Alberta and the Employment Standards Act and Regulation in British Columbia.
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Jurisdiction and Legislation	Notice Required	Application to Employers and Employees	Other Requirements
Manitoba Employment Standards Act	Where employed for more than two weeks: one pay period.	Employers not required to give notice to employees employed less than 2 years. Seasonal and temporary employees in agricultural, horticultural, and other seasonal occupations are exempt from notice requirements. Employees employed in fishing, the logging, mining, and construction industries, and in the oil and gas industry are exempt from notice requirements. Employees who are entitled to receive notice of termination are required to give notice.	A layoff is not deemed a termination when: it is customary, during that period of year, to lay off employees because of the seasonal nature of the industry and the employee has been advised, upon being hired, that he may be laid off; it is for a term of 8 weeks or less in any period of 16 consecutive weeks; or it is for more than 2 weeks and the employer recalls the employee within the time specified by the Minister or the employee continues to receive payments from the employer or the employer continues to make payments for the benefit of the employee to a pension plan or an insurance plan.
Newfoundland Labour Standards Act	Where employed at least one month but less than two years: one week. Where employed two years or more: two weeks.	Employers of employees in the construction industry or in certain professions not required to give notice. Construction industry and professional employees not required to give notice.	A layoff for a period of one week or less is not deemed a termination.

Jurisdiction and Legislation	Notice Required	Application to Employers and Employees	Other Requirements
Nova Scotia Labour Standards Code	Where employed less than two years: one week. Where employed two years or more but less than five years: two weeks. Where employed five years or more but less than ten years: three weeks. Where employed ten years or more: four weeks.	Employers not required to give notice to employees employed less than 3 months, teachers, construction workers, seasonal workers, officers, clerks or librarians, persons employed in fishing, agriculture, horticulture or stock raising, persons employed in logging, mining, oil, gas or other extractive industries, persons employed in fishing, hunting, trapping, or other outdoor sports, persons employed in the shipbuilding industry, inmates of correctional institutions, offenders performing work under court orders, students in work experience programmes. Employees who are entitled to receive notice of termination must give 1 week's notice if employed less than 2 years; or 2 weeks' notice if employed 2 years or more.	A layoff or suspension of 6 consecutive days or less is not deemed a termination.
Ontario Employment Standards Act	Where employed less than two years: one week. Where employed two years or more but less than five years: two weeks. Where employed five years or more but less than ten years: four weeks. Where employed ten years or more: eight weeks.	Employers are required to give notice to employees employed less than 3 months, certain employees in the shipbuilding industry, inmates of correctional institutions, offenders performing work under court orders, students in work experience programmes. Employees who are entitled to receive notice of termination must give 1 week's notice if employed less than 2 years; or 2 weeks' notice if employed 2 years or more.	A layoff is not deemed a termination when: It is for not more than 13 weeks; or it is for more than 13 weeks but the employee continues to receive payments from the employer, the employer continues to make payments for the benefit of the employee's retirement savings or pension plan or Insurance plan, or the employee is entitled to supplementary unemployment insurance but does not receive it because he is employed elsewhere during the layoff; it is for more than 13 weeks but the employee is recalled within the time fixed by the director of employment standards. For a week to count, the employee must have earned less than 50% his normal wages during that week.

*Other exclusions are listed in the Code and Regulations.

Jurisdiction and Legislation	Notice Required	Application to Employers and Employees	Other Requirements
Prince Edward Island Labour Act	Where employed for more than three months: one week.	Employers not required to give notice to farm labourers, employees of tourist establishments operating less than six months in any year, students employed between May and October, persons employed in the construction of roads, streets, sewers, pipelines, tunnels, bridges, and other such works. Employees who are entitled to notice of termination must give notice.	
Québec Civil Code Labour Standards Act	Under the Civil Code notice must be given: where an employee is employed by the week: one week. Where an employee is employed by the month: two weeks. Where an employee is employed by the year: one month. Under the Labour Standards Act notice must be given where an employee has been employed for at least three months and less than one year: one week. Where an employee has been employed for at least one year and less than five years: two weeks. Where an employee has been employed for at least five years and less than ten years: four weeks. Where an employee has been employed for at least ten years: eight weeks.	The Civil Code applies to employers of all employees. The notice period required of employers by the Labour Standards Act does not apply to certain agricultural workers, employees whose main duty is the care of a child or a disabled, aged or handicapped person if the work does not serve to procure a profit to the employer, workers in the construction industry, students enrolled in job initiation programs, certain contract workers; executive officers. All employees are required to give the notice set out in the Code. The Labour Standards Act does not require employees to give notice.	

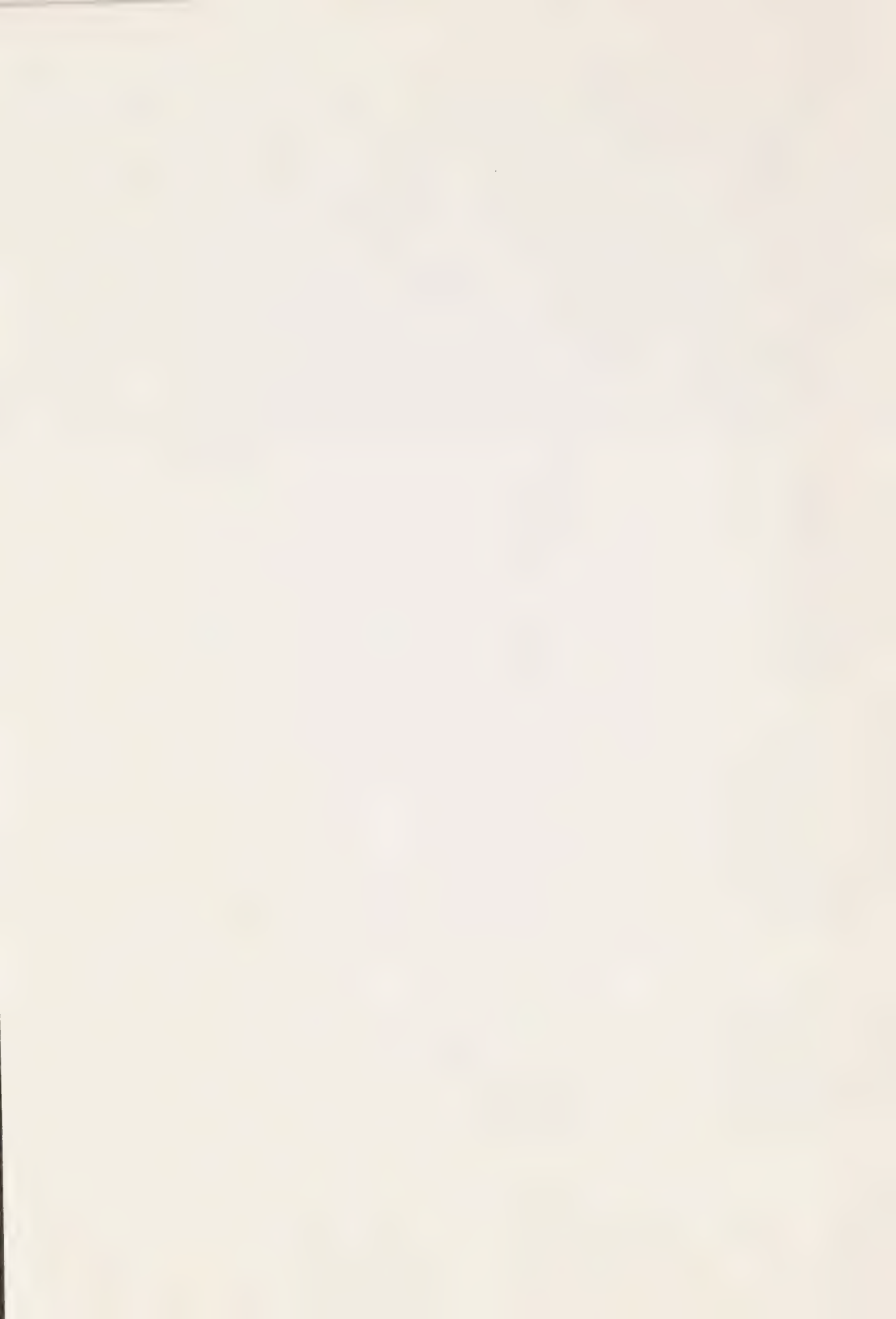
Jurisdiction and Legislation	Notice Required	Application to Employers and Employees	Other Requirements
Saskatchewan Labour Standards Act	<p>Where employed for at least three months and less than one year: one week.</p> <p>Where employed for at least one year and less than three years: two weeks.</p> <p>Where employed for at least three years and less than five years: three weeks.</p> <p>Where employed for at least five years and less than ten years: six weeks.</p> <p>Where employed for at least ten years: eight weeks.</p>	<p>Employers not required to give notice to employees employed in farming, ranching or market gardening, domestic workers or employees of sheltered workshops and work activity centres.</p> <p>Employers not required to give notice to employees employed in the construction industry; employed in a seasonal or intermittent undertaking that operates for less than six months in a year; discharged for just cause; whose employer has failed to abide by the terms of the employment contract; on temporary layoff; employed under a contract that has become impossible to perform due to an unforeseeable event or circumstance; who has refused reasonable alternative employment offered by his employer. These provisions also do not apply to employees represented by a trade union for the purpose of bargaining collectively. An employee cannot terminate his employment without giving the same notice (or pay in lieu of notice, in certain circumstances) to his employer.</p>	<p>A layoff is not deemed to be a termination when: It is for a period not exceeding 13 weeks in a period of 20 consecutive weeks; or It is for more than 13 weeks, but the employer recalls the employee to work within a time fixed by the Director. Where the employer terminates or lays off an employee who has been employed at a remote site, the employer must provide free transportation to the nearest point at which regularly scheduled transportation services are available.</p>
Yukon Employment Standards Act	<p>Where employed for at least six consecutive months: one week.</p>	<p>Employers not required to give notice to employees employed in the construction industry; employed in a seasonal or intermittent undertaking that operates for less than six months in a year; discharged for just cause; whose employer has failed to abide by the terms of the employment contract; on temporary layoff; employed under a contract that has become impossible to perform due to an unforeseeable event or circumstance; who has refused reasonable alternative employment offered by his employer. These provisions also do not apply to employees represented by a trade union for the purpose of bargaining collectively. An employee cannot terminate his employment without giving the same notice (or pay in lieu of notice, in certain circumstances) to his employer.</p>	

Jurisdiction and Legislation	Number of Employees	Notice Required	Copy of Notice To	Other Requirements
Federal Canada Labour Code and Canada Labour Standards Regulations	50 or more	16 weeks Notice in writing is given to Minister of Labour	<ol style="list-style-type: none"> 1. Minister of Labour 2. Minister of Employment and Immigration 3. C.E.C. 4. Trade union representative to represent the employees as bargaining agent, or any employee not represented in a trade union or posted by the employer in a conspicuous place of the industrial establishment 	<p>Employer must co-operate with CEIC to facilitate re-establishment in employment.</p> <p>Employer must establish a Joint Planning Committee to develop an adjustment program in order to minimize the impact of termination on laid-off employees in obtaining other employment. The Committee is composed of an equal number of employee and employer representatives. An arbitrator may be appointed to help the Committee develop such a program and to resolve any contested matter.</p> <p>A layoff is not deemed to be a termination when: it is the result of a strike or lock-out (even one in another establishment if it forces the employer to reduce his operations); the layoff is mandatory pursuant to a provision of a collective agreement; it is for a term of 3 months or less; it is for more than 3 months but the employee is given notice that he will be recalled within 6 months of the beginning of the layoff; it is for more than 3 months but the employee continues to receive payments from his employer, the employer continues to make payments to a pension or an insurance plan, the employee receives supplementary unemployment benefits or is entitled to them but is disqualified pursuant to the Unemployment Insurance Act, 1971; or the layoff is for more than 3 months but not more than 12 and the employee maintains recall rights pursuant to a collective agreement. With reference to the 3-month periods mentioned above, any period of re-employment of less than 2 weeks are not to be included.</p>

*Alberta, British Columbia, New Brunswick, Prince Edward Island, Saskatchewan and the Northwest Territories have, as yet, no provisions regarding notice of group termination.

Jurisdiction and Legislation	Number of Employees	Notice Required	Copy of Notice To	Other Requirements
Federal Canada Labour Code and Canada Labour Standards Regulations (continued)				Severance Pay: an employee who has completed 12 consecutive months of employment is entitled to: 2 days' wages in respect of each completed year of employment but not less than five days' wages at his regular rate.
Manitoba Employment Standards Act	50-100 101-300 over 300	10 weeks 14 weeks 18 weeks Notice in writing to Minister of Labour	1. Minister of Labour 2. the trade union entitled to represent the employees, or their employee or employees as bargaining agent 3. individual employees not represented by a union or posted by the employer in a conspicuous place in the establishment	<p>Notice must contain the reasons for the termination as well as the date of not less than two consecutive days' wages in respect of each completed year of employment but not less than five days' wages at his regular rate.</p> <p>Joint Planning Committee to Represent the Employer. The Minister may require the establishment of such a committee. composed of at least two representatives of the employer and of the trade union or employees, to develop an adjustment program in order to minimize the impact of the termination and to assist the redundant employees in obtaining other employment.</p> <p>After notice is given, the employer may not change conditions of employment or wage rates except with written consent of employees or if a collective agreement authorizes the change. Employee who wishes to terminate employment before expiry of notice must notify the employer in writing.</p> <p>A layoff is not deemed a termination when: It is customary, during that period of year, to layoff employees because of the seasonal nature of the industry and the employee has been advised, upon being hired, that he may be laid off; it is for a term of 8 weeks or less in any period of 16 consecutive weeks; or it is for more than 8 weeks and the employer recalls the employee within the time specified by the minister or the employee continues to receive payments from the employer or the employer continues to make payments to the employee's pension or insurance plan.</p>

Jurisdiction and Legislation	Number of Employees	Notice Required	Copy of Notice To	Other Requirements
Newfoundland Labour Standards Act	50-199 200-499 500 or more whose contracts of service have expired or more than 3 months	8 weeks 11 weeks 16 weeks Notice in writing to each employee whose employment is to be terminated	Minister of Labour and Minister of Social Services and informed of the reasons for termination	Where an employer fails to give the required notice to individual employees and to the Minister within the time prescribed, no action may be taken by the employer to terminate the services of the employees. A layoff for a period not exceeding one week is not deemed a termination. A layoff is not deemed a termination when it is for not more than 13 weeks in any period of 20 consecutive weeks. Such a layoff would be deemed temporary and, instead of the group notice, employees affected would be entitled to the individual notice of termination.
Nova Scotia Labour Standards Code	10-99 100-299 300 or more whose period of employment is more than 3 months ³	8 weeks 12 weeks 16 weeks Notice in writing to each person whose employment is to be terminated	Minister of Labour must be informed in writing of any notice given	After the notice is given, the employer may not alter the rates of wages or other conditions of employment of a person to whom notice has been given. A layoff or suspension of 6 consecutive days or less is not deemed a termination.
Ontario Termination of Employment Regulation under the Employment Standards Act	50-199 200-499 500 or more who have been employed for more than 3 months ⁴	8 weeks 12 weeks 16 weeks Notice in writing to each person whose employment is to be terminated	Minister of Labour must be notified in writing	Where bumping is permitted by the terms of employment, the employer may post a notice in a conspicuous place listing the person to be terminated, his/her seniority and job description and setting forth the date of termination. The posting of the notice is considered a notice of termination as of the day it is posted.



Jurisdiction and Legislation	Number of Employees	Notice Required	Copy of Notice To	Other Requirements
Ontario (continued)				<p>An employer is not required to give notice of termination when:</p> <ul style="list-style-type: none"> it is for cause; or it is for non-compliance with the law. <p>The employee must be given written notice of termination if the employer has no other employees who are being terminated at the same time.</p> <p>If the employee is entitled to severance pay, the employer must also provide a statement of earnings and expenses for the period of employment.</p> <p>An employee who is dismissed without notice is entitled to supplementary unemployment insurance but does not receive it because he is employed elsewhere during the layoff; it is for more than 13 weeks but the employee is recalled within the time fixed by the director of employment standards. For a week to count, the employee must have earned less than 50% his normal wages during that week.</p> <p>Severance Pay: when 50 or more employees are terminated within 6 months or less, those who have been employed five years or more by the employer are entitled to one week's regular wages (exclusive of overtime) in respect of each year of employment to a maximum of 26.</p>
Québec Manpower Vocational Training and Qualification Act and Regulation	10-99 100-299 300 or more	2 months 3 months 4 months to the Minister of Manpower and Income Security	The notice must be posted at the Manpower Branch	Upon request of the Minister, an employer must immediately take part in the establishment of a committee on reclassification of employees. The committee must consist of an equal number of employer and employee representatives. No employer shall make a collective dismissal during the delay which follows the notice.

Jurisdiction and Legislation	Number of Employees	Notice Required	Copy of Notice To	Other Requirements
Yukon Employment Standards Act	25-49 50-99 100-299 300 or more within any period of 4 weeks	4 weeks 8 weeks 12 weeks 16 weeks To the Director of Employment Standards		Group notice is in addition to any individual notice required. 4 weeks notice to the Director is required where an employer, within any period of 4 weeks, places a group of 50 or more employees on temporary layoff. A layoff is temporary if it is for not more than 13 weeks in a period of 20 consecutive weeks, or for more than 13 weeks where the employer recalls the employee to his service within a time fixed by the Director. Where an employer terminates the employment or lays off an employee who has been employed at a remote site, the employer must provide free transportation to the nearest point at which regularly scheduled transportation services are available. Termination of employment provisions do not apply to employees represented by a trade union.

¹The Act lists several exclusions including employees on strike or locked out and those employed in the construction industry.

²The provisions do not apply to employees whose contracts of service have subsisted for less than one month. Other exclusions are listed under the Labour Standards Regulations, 1980.

³The provisions do not apply to employees whose period of employment is less than 3 months. Other exclusions are listed in the Code.

⁴The provisions do not apply to a person who has been employed for less than 3 months. Other exclusions are listed in the Regulations.

